S/N 09/938,978

PATENTEIVED

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Central fax Center

Applicants:

Alan N. Willson, Jr. et al.

Examiner:

Chuong D. Ngo

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CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Tendemark Office on

By: VILLY G. Cooper

## VERIFIED STATEMENT BY ISABELL OGATA IN SUPPORT OF PETITION UNDER 37 CFR 1.137(b)

MAIL STOP PETTTION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## Dear Sir:

- I, Isabell Ogata, hereby declare as follows:
- 1. I was and remain a legal assistant employed by Gates & Cooper, LLP.
- 2. I have been involved in the prosecution of the subject application from prior to the date on which the application became abandoned for failure to timely file a response to the Office Action dated June 3, 2004 and continuing through the present time.
- 3. An Amendment Under 37 C.F.R. §1.111 in response to the Office Action dated June 3, 2004, was inadvertently fax-filed on October 1, 2004 to an incorrect fax number. The delay in responding to the June 3, 2004 Office Action was unintentional.

I further declare that all statements made herein of my own personal knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Dated: Jan. 24, 2005

By: Salell Ogata
Isabell Ogata
Gates & Cooper LLP